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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

BY \_\_\_\_\_

**LAW OFFICES OF TODD M.  
FRIEDMAN, P.C.**

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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

**CASEY BLOTZER,  
INDIVIDUALLY AND ON BEHALF  
OF ALL OTHERS SIMILARLY  
SITUATED,**

Plaintiff,

vs.

**TAX DEFENSE NETWORK, INC.,**

Defendant.

) Case No. SACV14-00233 JLS (RNBx)

) **CLASS ACTION**

) **COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
PURSUANT TO THE TELEPHONE  
CONSUMER PROTECTION ACT,  
47 U.S.C. § 227, ET SEQ.**

) **JURY TRIAL DEMANDED**

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## INTRODUCTION

1  
2 1. CASEY BLOTZER ("Plaintiff") brings this Class Action Complaint  
3 for damages, injunctive relief, and any other available legal or equitable remedies,  
4 resulting from the illegal actions of TAX DEFENSE NETWORK, INC.  
5 ("Defendant"), in negligently and/or willfully contacting Plaintiff on Plaintiff's  
6 cellular telephone, in violation of the Telephone Consumer Protection Act, 47  
7 U.S.C. § 227 et seq., ("TCPA"), thereby invading Plaintiff's privacy. Plaintiff  
8 alleges as follows upon personal knowledge as to herself and her own acts and  
9 experiences, and, as to all other matters, upon information and belief, including  
10 investigation conducted by his attorneys.

11 2. The TCPA was designed to prevent calls like the ones described  
12 herein, and to protect the privacy of citizens like Plaintiff. "Voluminous consumer  
13 complaints about abuses of telephone technology – for example, computerized  
14 calls dispatched to private homes – prompted Congress to pass the TCPA." *Mims*  
15 *v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).  
16

17 3. In enacting the TCPA, Congress intended to give consumers a choice  
18 as to how corporate similar entities may contact them, and made specific findings  
19 that "[t]echnologies that might allow consumers to avoid receiving such calls are  
20 not universally available, are costly, are unlikely to be enforced, or place an  
21 inordinate burden on the consumer. TCPA, Pub.L. No. 102-243, § 11. In  
22 support of this, Congress found that

23  
24 [b]anning such automated or prerecorded telephone calls to the  
25 home, except when the receiving party consents to receiving the call  
26 or when such calls are necessary in an emergency situation affecting  
27 the health and safety of the consumer, is the only effective means of  
28 protecting telephone consumers from this nuisance and privacy  
invasion.

1 Id. at § 12; see also *Martin v. Leading Edge Recovery Solutions, LLC*, 2012 WL  
2 3292838, at\* 4 (N.D.Ill. Aug. 10, 2012) (citing Congressional findings on  
3 TCPA's purpose).

4 4. Congress also specifically found that "the evidence presented to the  
5 Congress indicates that automated or prerecorded calls are a nuisance and an  
6 invasion of privacy, regardless of the type of call...." Id. at §§ 12-13. See also,  
7 *Mims*, 132 S. Ct. at 744.

8 5. As Judge Easterbrook of the Seventh Circuit recently explained in a  
9 TCPA case regarding calls to a non-debtor similar to this one:  
10

11 The Telephone Consumer Protection Act ... is well known for its  
12 provisions limiting junk-fax transmissions. A less-litigated part of  
13 the Act curtails the use of automated dialers and prerecorded  
14 messages to cell phones, whose subscribers often are billed by the  
15 minute as soon as the call is answered—and routing a call to  
16 voicemail counts as answering the call. An automated call to a  
17 landline phone can be an annoyance; an automated call to a cell  
18 phone adds expense to annoyance.

19 *Soppet v. Enhanced Recovery Co., LLC*, 679 F.3d 637, 638 (7th Cir. 2012).

#### 20 JURISDICTION AND VENUE

21 6. This Court has federal question jurisdiction because this case arises  
22 out of violations of federal law. 47 U.S.C. §227(b); *Mims v. Arrow Fin. Servs.,*  
23 *LLC*, 132 S. Ct. 740 (2012).

24 7. Venue is proper in the United States District Court for the Central  
25 District of California pursuant to 18 U.S.C. § 1391(b) and 1441(a) because  
26 Defendant is subject to personal jurisdiction in the County of Los Angeles, State  
27 of California.

28 ///

**PARTIES**

8. Plaintiff is, and at all times mentioned herein was, a citizen and resident of the State of California. Plaintiff is, and at all times mentioned herein was, a "person" as defined by 47 U.S.C. § 153 (10).

9. Plaintiff is informed and believes, and thereon alleges, that Defendant is, and at all times mentioned herein was, a corporation whose State of Incorporation and principal place of business is in the State of Florida. Defendant, is and at all times mentioned herein was, a corporation and is a "person," as defined by 47 U.S.C. § 153 (10). Plaintiff alleges that at all times relevant herein Defendant conducted business in the State of California and in the County of Los Angeles, and within this judicial district.

**FACTUAL ALLEGATIONS**

10. At all times relevant, Plaintiff was a citizen of the County of Los Angeles, State of California. Plaintiff is, and at all times mentioned herein was, a "person" as defined by 47 U.S.C. § 153 (10).

11. Defendant is, and at all times mentioned herein was, a corporation and a "person," as defined by 47 U.S.C. § 153 (10).

12. At all times relevant Defendant conducted business in the State of California and in the County of Los Angeles, within this judicial district.

13. On or about September 27, 2013 the Defendant called the Plaintiff on her cellular phone in an attempt to solicit business regarding Plaintiff's alleged tax issues with the Internal Revenue Service and left a message which utilized an artificial or prerecorded voice.

14. On or about September 30, 2013, the Defendant called the Plaintiff on her cellular phone and left a voice message. This call was placed by the Defendant to the Plaintiff at or about 6am.

1           15. On or about October 9, 2013 the Defendant called Plaintiff on her  
2 cellular phone and left a voicemail message.

3           16. On or about October 17, 2013, the Defendant called the Plaintiff on  
4 her cellular phone.

5           17. These phone call placed to Plaintiff's cellular telephone was placed  
6 via an "automatic telephone dialing system," ("ATDS") as defined by 47 U.S.C. §  
7 227 (a)(1) as prohibited by 47 U.S.C. § 227 (b)(1)(A).

8           18. The telephone number that Defendant, or its agent called was  
9 assigned to a cellular telephone service for which Plaintiff incurs a charge for  
10 incoming calls pursuant to 47 U.S.C. § 227 (b)(1).

11           19. These telephone calls constituted calls that were not for emergency  
12 purposes as defined by 47 U.S.C. § 227 (b)(1)(A)(i).

13           20. At no time, including as of September 27, 2013, did Plaintiff  
14 subscribe or solicit Defendant's services as a customer, provide her number to the  
15 Defendant for any reason and/or provide Defendant or its agents with prior  
16 express consent to receive unsolicited phone calls utilizing a prerecorded,  
17 artificial voice or ATDS, pursuant to 47 U.S.C. § 227 (b)(1)(A).

18           21. These telephone calls by Defendant, or its agents, violated 47 U.S.C.  
19 § 227(b)(1).  
20

21                           **CLASS ACTION ALLEGATIONS**

22           22. Plaintiff brings this action on behalf of herself and on behalf of and  
23 all others similarly situated ("the Class").

24           23. All persons within the United States who received any phone call/s  
25 from Defendant or its agent/s and/or employee/s to said person's cellular  
26 telephone made through the use of any automatic telephone dialing system or pre-  
27 recorded, artificial voice within the four years prior to the filling of the  
28 Complaint.

1       24. Defendant and its employees or agents are excluded from the Class.  
2 Plaintiff does not know the number of members in the Class, but believes the  
3 Class members number in the thousands, if not more. Thus, this matter should be  
4 certified as a Class action to assist in the expeditious litigation of this matter.

5       25. Plaintiff and members of the Class were harmed by the acts of  
6 Defendant in at least the following ways: Defendant, either directly or through its  
7 agents, illegally contacted Plaintiff and the Class members via their cellular  
8 telephones by using an ATDS or an artificial, pre-recorded voice, thereby causing  
9 Plaintiff and the Class members to incur certain cellular telephone charges or  
10 reduce cellular telephone time for which Plaintiff and the Class members  
11 previously paid, and invading the privacy of said Plaintiff and the Class members.  
12 Plaintiff and the Class members were damaged thereby.

13       26. This suit seeks only damages and injunctive relief for recovery of  
14 economic injury on behalf of the Class, and it expressly is not intended to request  
15 any recovery for personal injury and claims related thereto. Plaintiff reserves the  
16 right to expand the Class definition to seek recovery on behalf of additional  
17 persons as warranted as facts are learned in further investigation and discovery.

18       27. The joinder of the Class members is impractical and the disposition  
19 of their claims in the Class action will provide substantial benefits both to the  
20 parties and to the court. The Class can be identified through Defendant's records  
21 or Defendant's agents' records.

22       28. There is a well-defined community of interest in the questions of law  
23 and fact involved affecting the parties to be represented. The questions of law  
24 and fact to the Class predominate over questions which may affect individual  
25 Class members, including the following:

- 26  
27       a) Whether, within the four years prior to the filing of this Complaint,  
28 Defendant or its agents sent any phone calls to the Class (other than

1 a message made for emergency purposes or made with the prior  
2 express consent of the called party) to a Class member using any  
3 automatic dialing system and/or artificial pre-recorded voice to any  
4 telephone number assigned to a cellular phone service;

5 b) Whether Plaintiff and the Class members were damaged thereby, and  
6 the extent of damages for such violation; and

7 c) Whether Defendant and its agents should be enjoined from engaging  
8 in such conduct in the future.

9 29. As a person that received at least one phone call and/or message via  
10 ATDS and/or an artificial, prerecorded voice without Plaintiff's prior express  
11 consent, Plaintiff is asserting claims that are typical of the Class. Plaintiff will  
12 fairly and adequately represent and protect the interests of the Class in that  
13 Plaintiff has no interests antagonistic to any member of the Class.

14 30. Plaintiff and the members of the Class have all suffered irreparable  
15 harm as a result of the Defendant's unlawful and wrongful conduct. Absent a  
16 class action, the Class will continue to face the potential for irreparable harm. In  
17 addition, these violations of law will be allowed to proceed without remedy and  
18 Defendant will likely continue such illegal conduct. Because of the size of the  
19 individual Class member's claims, few, if any, Class members could afford to  
20 seek legal redress for the wrongs complained of herein.

21 31. Plaintiff has retained counsel experienced in handling class action  
22 claims and claims involving violations of the Telephone Consumer Protection  
23 Act.  
24

25 32. A class action is a superior method for the fair and efficient  
26 adjudication of this controversy. Class-wide damages are essential to induce  
27 Defendant to comply with federal and California law. The interest of Class  
28 members in individually controlling the prosecution of separate claims against

1 Defendant is small because the maximum statutory damages in an individual  
2 action for violation of privacy are minimal. Management of these claims is likely  
3 to present significantly fewer difficulties than those presented in many class  
4 claims.

5 33. Defendant has acted on grounds generally applicable to the Class,  
6 thereby making appropriate final injunctive relief and corresponding declaratory  
7 relief with respect to the Class as a whole.

8  
9 **FIRST CAUSE OF ACTION**  
10 **NEGLIGENT VIOLATIONS OF THE TCPA**  
11 **47 U.S.C. § 227 ET SEQ.**

12 34. Plaintiff incorporates by reference all of the above paragraphs of this  
13 Complaint as though fully stated herein.

14 35. The foregoing acts and omissions of Defendant constitute numerous  
15 and multiple negligent violations of the TCPA, including but not limited to each  
16 and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

17 36. As a result of Defendant's negligent violations of 47 U.S.C. § 227 et  
18 seq, Plaintiff and The Class are entitled to an award of \$500.00 in statutory  
19 damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

20 37. Plaintiff and the Class are also entitled to and seek injunctive relief  
21 prohibiting such conduct in the future.

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1                                   **SECOND CAUSE OF ACTION**  
2                                   **KNOWING AND/OR WILLFUL VIOLATIONS OF THE TELEPHONE**  
3                                   **CONSUMER PROTECTION ACT**  
4                                   **47 U.S.C. § 227 ET SEQ.**

5           38. Plaintiff incorporates by reference all of the above paragraphs of this  
6 Complaint as though fully stated herein.

7           39. The foregoing acts and omissions of Defendant constitute numerous  
8 and multiple knowing and/or willful violations of the TCPA, including but not  
9 limited to each and every one of the above-cited provisions of 47 U.S.C. § 227 et  
10 seq.

11           40. As a result of Defendant's knowing and/or willful violations of 47  
12 U.S.C. § 227 et seq, Plaintiff and The Class are entitled to an award of \$1,500.00  
13 in statutory damages, for each and every violation, pursuant to 47 U.S.C. §  
14 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

15           41. Plaintiff and the Class are also entitled to and seek injunctive relief  
16 prohibiting such conduct in the future.

17                                   **PRAYER FOR RELIEF**

18           Wherefore, Plaintiff respectfully requests the Court grant Plaintiff, and The  
19 Class members the following relief against Defendant:

20                                   **FIRST CAUSE OF ACTION**  
21                                   **NEGLIGENT VIOLATIONS OF THE TCPA**  
22                                   **47 U.S.C. § 227 ET SEQ.**

23           • As a result of Defendant's negligent violations of 47 U.S.C. §  
24 227(b)(1), Plaintiff seeks for himself and each Class member \$ 1, 500.00 in  
25 statutory damages, for each and every violation, pursuant to 47 U.S.C. §  
26 227(b)(3)(B).  
27  
28

1       • Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting  
2 such conduct in the future.

3       • Any other relief the Court may deem just and proper.  
4

5                   **SECOND CAUSE OF ACTION**  
6                   **KNOWING AND/OR WILLFUL VIOLATIONS OF THE TELEPHONE**  
7                   **CONSUMER PROTECTION ACT**  
8                   **47 U.S.C. § 227 ET SEQ.**

9       • As a result of Defendant's negligent violations of 47 U.S.C. §  
10 227(b)(1), Plaintiff seeks for himself and each Class member \$1, 500.00 in  
11 statutory damages, for each and every violation, pursuant to 47 U.S.C. §  
12 227(b)(3)(B).

13       • Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting  
14 such conduct in the future.

15       • Any other relief the Court may deem just and proper.  
16

16                   **TRIAL BY JURY**

17 Pursuant to the seventh amendment to the Constitution of the United States of  
18 America, Plaintiff is entitled to, and demands, a trial by jury.  
19

20  
21       Respectfully submitted January 3, 2014.

22  
23                   LAW OFFICES OF TODD M. FRIEDMAN, P.C.

24  
25  
26       By: \_\_\_\_\_

27                   Todd Friedman  
28                   Law Offices of Todd Friedman, P.C.  
                    Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Josephine L. Staton and the assigned Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

SACV14-00233 JLS (RNBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

February 18, 2014

Date

By Nancy Boehme  
Deputy Clerk

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NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**I. (a) PLAINTIFFS** ( Check box if you are representing yourself ☐ )

CASEY BLOTZER, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS** ( Check box if you are representing yourself ☐ )

TAX DEFENSE NETWORK, INC.

(b) County of Residence of First Listed Plaintiff Orange

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant \_\_\_\_\_

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Law Offices of Todd M. Friedman, P.C.  
369 S. Doheny Dr., #415, Beverly Hills, CA 90211  
Phone: (877) 206-4741

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1. Original Proceeding ☐ 2. Removed from State Court ☐ 3. Remanded from Appellate Court ☐ 4. Reinstated or Reopened ☐ 5. Transferred from Another District (Specify) ☐ 6. Multi-District Litigation

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION** under F.R.Cv.P. 23: ☒ Yes ☐ No **MONEY DEMANDED IN COMPLAINT:** \$ 5,000,000.00**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

47 U.S.C. 227, et seq., Telephone Consumer Protection Act

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<b>Habeas Corpus:</b>	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b>	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<b>PERSONAL INJURY</b>	<b>PERSONAL PROPERTY</b>	<input type="checkbox"/> 530 General	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<b>Other:</b>	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<b>FEDERAL TAX SUITS</b>
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<b>REAL PROPERTY</b>	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	<b>LABOR</b>	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

SACV14-00233 JLS (RNBx)

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

<b>Question A: Was this case removed from state court?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<b>STATE CASE WAS PENDING IN THE COUNTY OF:</b>		<b>INITIAL DIVISION IN CACD IS:</b>
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<b>If the United States, or one of its agencies or employees, is a party, is it:</b>		<b>INITIAL DIVISION IN CACD IS:</b>
	<b>A PLAINTIFF?</b>	<b>A DEFENDANT?</b>	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

<b>Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)</b>	<b>A. Los Angeles County</b>	<b>B. Ventura, Santa Barbara, or San Luis Obispo Counties</b>	<b>C. Orange County</b>	<b>D. Riverside or San Bernardino Counties</b>	<b>E. Outside the Central District of California</b>	<b>F. Other</b>
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the <b>SOUTHERN DIVISION</b> . Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the <b>EASTERN DIVISION</b> . Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the <b>WESTERN DIVISION</b> . Enter "Western" in response to Question D below.	

<b>Question D: Initial Division?</b>	<b>INITIAL DIVISION IN CACD IS:</b>
Enter the initial division determined by Question A, B, or C above: →	SOUTHERN

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETIX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)
- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY  
(OR SELF-REPRESENTED LITIGANT): \_\_\_\_\_

DATE: January 3, 2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))